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3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**  
4 **OF THE STATE OF WASHINGTON**

5 IN THE MATTER OF ENFORCEMENT )  
6 ACTION AGAINST ) PDC CASE NO.: 00-873  
7 )  
8 King County and ) FINAL ORDER  
9 King County Department of Transportation )  
10 Respondents. )  
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1 The Washington State Public Disclosure Commission (Commission) conducted an  
2 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on June  
3 28, 2001.

4 The Commission conducted the hearing to consider the stipulation between the parties  
5 as to facts violations and penalty, and to consider whether violations occurred and whether the  
6 recommended penalty should be assessed.

7 The Commission held the hearing at Evergreen Plaza Building, Room 206, 711 Capitol  
8 Way South, in Olympia, Washington. The Respondent appeared for the hearing through David  
9 W. Regnier, Senior Deputy Prosecuting Attorney. The Staff appeared through F. Neil Gorrell,  
10 Assistant Attorney General.

11 The Commission heard oral argument. The Commission considered the Report of  
12 Investigation, Notice of Administrative Charges and the Stipulation as to Facts, Violation and  
13 Penalty dated June 28, 2001.

14 The parties stipulated that the Report of Investigation dated June 1, 2001, and Sections  
15 III and IV of the Notice of Administrative Charges contained accurate statements of fact. The  
16 parties further stipulated that based upon the stipulated facts, the Commission would likely find

1 a single violation of RCW 42.17.190. The parties jointly recommended a proposed total  
2 penalty of \$1,000.00.

3 Based on this record, THE COMMISSION ACCEPTS THE STIPULATED FACTS,  
4 VIOLATION AND PENALTY. THE COMMISSION ORDERS that the Respondent has  
5 committed a single violation of RCW 42.17.190.

6 THE COMMISSION FURTHER ASSESSES a total civil penalty of \$1,000.00 against  
7 the Respondent. The Respondent shall pay the entire penalty within 60 days from the date this  
8 order is entered.

9 Any party may ask the Commission to reconsider this final order. Parties must place  
10 their requests for reconsideration in writing, include the specific grounds or reasons for the  
11 request, and deliver the request to the Public Disclosure Commission Offices within 10 days of  
12 the date that the Commission serves this order upon the party.

13 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure  
14 Commission is subject to judicial review under the Administrative Procedures Act, chapter  
15 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed with  
16 the superior court in Thurston County or the petitioner's county of residence or principal place  
17 of business. The petition for judicial review must be served on the Public Disclosure  
18 Commission and any other parties within 30 days of the date that the Public Disclosure  
19 Commission serves this final order on the parties.

20 If reconsideration is properly sought, the petition for judicial review must be served on  
21 the Public Disclosure Commission and any other parties within 30 days after the Commission  
22 acts on the petition for reconsideration. Pursuant to RCW 34.05.470(3), the Public Disclosure  
23 Commission is deemed to have denied the petition for reconsideration if, within twenty days  
24 from the date the petition is filed, the agency does not either dispose of the petition or serve the  
25 parties with written notice specifying the date by which it will act on the petition. Pursuant to

1 RCW 34.05.470(5), the Respondent is not required to ask the Public Disclosure Commission to  
2 reconsider the final order before seeking judicial review by a superior court.

3 The Commission will seek to enforce this final order in superior court under RCW  
4 42.17.395-397, and recover legal costs and attorney's fees, if the penalty remains unpaid and  
5 no petition for judicial review has been filed under chapter 34.05 RCW. This action will be  
6 taken without further order by the Commission.

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9 DATED THIS 9<sup>th</sup> day of July, 2001.

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11 FOR THE COMMISSION:

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14 VICKI RIPPIE, Executive Director  
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